

**Testimony of Chris Wright, Legal Marijuana Now Party,
Submitted to the Public Safety, Finance, & Policy
Minnesota House of Representatives
Thursday, March 2, 2023**

Madam Chair and Committee Members, the only reason why I urge you to support HF100 is because we get more justice from the Legalization by Fraud than Criminalization by Fraud, but fraud is fraud.

Article 13, Section 7, of the Minnesota Constitution, says, “Any person may sell or peddle the products of the farm or garden occupied and cultivated by him without obtaining a license therefore.” It doesn’t say license required. Indeed, this bill is illegal and unconstitutional.

Unrestricted by the Constitution, those who perjure their solemn oath to uphold the constitution and sacrifice Minnesota’s liberties at the altar of venal commercial legalization, are traitors. Legalization at the cost of liberty is tyranny.

I’ve attached a re-written bill that complies constitutionally. When it comes to cannabis, Constitutional law observance is not an option for you lawmakers. If lawmakers won’t obey the law, then why should anyone else?

This bill drives up prices to black market levels subsidizing criminals who can undercut the legal market. The sick and dying can afford seeds, but instead are forced to buy overpriced medical cannabis from those who profit from their misery.

Why can’t a person take their homegrown to a licensed outlet to safely extract concentrates with volatile solvents to prevent home fires?

Cannabis makes you cough, politics makes you gag.

Thank you

Please consider these extended remarks:

Cannabis Management Board--Why are we duplicating effort when we could save the taxpayers more money if it were placed this inside the Department of Public Safety's – Alcohol and Gambling Enforcement Division?

It opens the revolving door by allowing members of the Cannabis Advisory Board to take lobbying jobs after only two years. This is legalized official corruption. Elected officials and their staff must be **barred for life** from working for any company, organization, or association which lobbies the government. Lobbyists buy, sell and rent politicians, including staffers and offer them revolving door lobbying jobs when they leave their public jobs. In fact, once a politician or staffer accepts an offer to work for the lobbyist, and before they're officially hired, the lobbyist knows they're already on the job working for free.

That is why I added an amendment to this bill that says, "While serving on the board and after terminating service, board members and their staff may not: serve as a lobbyist...

Statewide Monitoring System, is a violation of Article 1, Section 10, Unreasonable searches and seizures and Article 13, Section 7, of the Minnesota Constitution; and the 4th Amendment of the US Constitution, since it subjects a natural person to unwarranted surveillance for cultivating, selling and peddling the products of the farm or garden. Only an artificial entity can be subject to this unconstitutional intrusion. Please see my recommended amendment.

License Violations Penalties, is a violation of Article 1, Section 10, Unreasonable searches and seizures and Article 13, Section 7, of the Minnesota Constitution; and the 4th Amendment of the US Constitution, since it subjects a natural person to unwarranted inspections for cultivating, selling and peddling the products of the farm or garden. Only an artificial entity can be subject to this unconstitutional intrusion.

The flaws in this bill are too numerous to mention. If only wealthy investors can afford the conditions of a license to cultivate, sell & peddle, then there is **NO EQUITY** for anybody. There can never be equity until our rights are restored under Article 13, Section 7, of the Constitution. Illinois has many of the same equity provisions as this bill and they have NO minority cannabis businesses.

This bill creates nepotism and patronage jobs that last in perpetuity, without expiration, like the unnecessary Task Force on Medical Cannabis Therapeutic Research and the Adult-Use Cannabis Substance Use Disorder Advisory Council. It creates a useless program called Education on Cannabis Use and Substance Use that is completely unnecessary and a nearly useless Cannabis Education Programs. This is pure pork.

There are regressive taxes which hurt the sick and poor that are four times more onerous than alcohol which kills, is more addictive and more destructive. It creates stupid advertising and transportation restrictions for cannabis that doesn't exist for deadly alcohol, yet cannabis does not induce death. Alcohol wholesalers who distribute liquor don't have to have two employees to deliver. Why is cannabis being regulated more harshly than deadly drugs like alcohol and tobacco? Why is there a gross receipts tax of 8-percent, while a more harmful drug alcohol only has a gross receipts tax of 2.5-percent? Why do you have to be 21-years-old instead of 18? Why can't the Cannabis Management Board approve advertising, the liquor board can?

I strongly advise you to read over my recommended amendments. I have them highlighted in red for easy identification.

In 2017, I wrote a Hennepin County Library review of the 1933 book "Toward Liquor Control" by Raymond Fosdick. Minnesota and most of the states patterned their liquor laws on this very book. The following is my review:

At a time when states are considering an end to the War on Drugs and many states have ended prohibition on marijuana, "Toward Liquor Control" is surprisingly relevant and provides key insights into social control of intoxicants.

The authors were against a system of licensure that licensed private business for distribution because the profit motive seeks to expand unwanted usage. Though largely ignored by the states, except Pennsylvania, they preferred a state monopoly like that which still exists in Scandinavia and Canada.

On pages 14-15 they said:

"At all costs—even if it means a temporary increase in consumption of alcohol—bootlegging, racketeering and the whole wretched nexus of crime that developed with [prohibition] in force must be wiped out. The defiance of the law that has grown up in the last fourteen years, the hypocrisy, the break-down of governmental

machinery, the demoralization in public and private life, is a strain on America that can no longer be tolerated. The American people are definitely aroused in a determination to clean up this source of corruption and to reestablish the integrity and dignity of the law.”

Their report wanted to prevent a return to the evil practices of the saloon, especially the tied-house saloons tied to particular breweries and distillers to prevent vertical marketing which stimulated sales. They preferred to separate importers and manufacturers, distributors and retailers from owning all three branches of the business.

They made recommendations for local option stating that those areas that chose prohibition allow express or mail delivery of liquor to undermine black market forces.

On pages 127-128 they concluded:

“The effort to clear the land of the illicit...business and to set up reasonable and effective control can be immeasurably hindered or greatly advanced by the kind of tax system...The temptation to load on to the...trade all our governmental deficits should be resisted at all costs, for high taxes will produce high prices and will thus make inevitable the continuance of the [black market] and the whole system of corruption.

Tax rates...should be viewed as a whole and the objective taxation should be neither revenue, primarily, nor punishment, but social regulation.

To make...taxes simple, effective and consistent, all manufacturers' taxes should be levied exclusively by the federal government and correlated with import duties. All retail taxes or licenses should be levied by the states. There should be no local levies...

The tax rates applied...should be established upon a rational basis by varying the tax rate per [ounce] with relation to the...content [strength compared to alcohol], the price, the undesirability of consumption and luxury use.

Revenues from...taxes or licenses should not be earmarked for special purposes, such as schools...The revenues should go directly into the general funds.”

They recommended against excise tax on manufacture, except the federal government, because tax disparities between states would drive manufacture to the states with the lowest tax.

They also believed that low alcohol 3.2% beer should have little or no taxes and increase per tier with hard liquor having the highest taxes.

They recommended that a single liquor authority be established throughout the state to prevent duplication of effort causing higher taxes. That liquor authority should have the power to independently change rules. This is important to realize now that we are considering the regulation of narcotics and marijuana that they should be combined with the state's liquor authority to avoid unnecessary duplication of effort causing higher taxation and allow them to separate the most harmful intoxicants by category and impose the highest tax for the most harmful intoxicants to discourage use.

For over a century distribution of narcotics has increased. In the last 50-years distribution has increased while spending a trillion dollars in two drug wars. Obviously distribution is inevitable. The only question left to answer is how will it be distributed. Will it be distributed safely, legally, and peacefully, like it is for the most destructive drug known to man, alcohol, or will it be distributed unsafely, illegally, and violently like it is for illegal drugs. The legislature insists on the most destructive form of distribution. Shame on you.

Madam Chair and Committee members, thank you for considering my views.